

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

MORRISON ENTERPRISES, LLC, )  
and THE CITY OF HASTINGS, )  
NEBRASKA, )  
                                )  
Plaintiffs,                 )                          4:08CV3142  
                                )  
v.                            )  
                                )  
DRAVO CORPORATION,         )                          MEMORANDUM AND ORDER  
                                )  
Defendant.                 )  
                                )

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Following a telephone conference with counsel pursuant to Fed. R. Civ. P. 16 on April 6, 2009, and hearing the discussion of the parties' efforts to resolve one portion of this case,

IT THEREFORE HEREBY IS ORDERED:

The current deadlines and the court's extant progression order, filing no. 55, are amended in the following respects:

1. Responses to outstanding written discovery requests shall be due on or before May 8, 2009.
2. No depositions shall be scheduled until on or after April 27, 2009.
3. The deposition deadline in Paragraph 2.a. of the progression order is extended to August 5, 2009.
4. The deadlines for disclosures of expert reports in paragraph 3 of that order are each extended three weeks, to wit: May 13, 2009, June 12, 2009, and July 6, 2009, respectively.
5. The pretrial disclosures deadline for disclosure of nonexpert witnesses in paragraph 4 a. thereof is extended to July 6, 2009.
6. The pretrial disclosure deadline for trial exhibits in paragraph 4 c. thereof is extended to August 20, 2009.

7. The deadline for filing motions in limine regarding expert witnesses required by paragraph 5 a. thereof is extended to **August 6, 2009.**

In all other respects the extant progression order remains in effect.

DATED this 7<sup>th</sup> day of April, 2009.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge